



AP10 Rec'd DEC 27 2005  
DOCKET NO. CCS5002USPCT

P 9  
#4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Dieter BACHMANN

Serial No.: 10/538,946 Art Unit:

International Filing

Date : December 12, 2003 Examiner:

For : CONTROLLED RELEASE PREPARATION COMPRISING TRAMADOL AND  
TOPIRAMATE

I hereby certify that this correspondence is being facsimile transmitted  
to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450  
on

December 22, 2005

(Date of Deposit)

Matthew B. Zisk, Reg.#45,257

(Name of applicant, assignee, or Registered Representative)

/Matthew B. Zisk/

(Signature)

December 22, 2005

(Date of Signature)

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SUBMISSION OF COMBINED DECLARATION AND POWER OF ATTORNEY

Dear Sir:

Pursuant to Rule 53(f) and Rule 54, please find enclosed a Combined Declaration and Power of Attorney for the application of Dieter BACHMANN entitled CONTROLLED RELEASE PREPARATIONS COMPRISING TRAMADOL AND TOPIRAMATE attorney Docket No.CCS5002, to complete, pursuant to Rule 51, this application filed on June 13, 2005 by Express Mail pursuant to Rule 10. As required, a copy of the Notice to File Missing Parts of Application is also attached.

Please charge Johnson & Johnson Deposit Account No. 10-0750/CCS5002USPCT/MBZ in the amounts of \$130.00 for submission of the Declaration pursuant to Section 1.16(e). The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 10-0750/CCS5002USPCT/MBZ. This sheet is submitted in triplicate.

01/03/2006 ATRAN1 00000096 100750 10538946  
01 FC:1617 130.00 DA

Respectfully submitted,

/Matthew B. Zisk/

Matthew B. Zisk  
Reg. No. 45,257  
Attorney for Applicant(s)

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New Brunswick, NJ 08933-7003  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/538,946	FIRST NAMED APPLICANT Dieter Bachmann	ATTY. DOCKET NO. CCS5002USPCT
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INTERNATIONAL APPLICATION NO. PCT/EP03/14474	
I.A. FILING DATE 12/12/2003	PRIORITY DATE 12/13/2002

27777  
PHILIP S. JOHNSON  
JOHNSON & JOHNSON  
ONE JOHNSON & JOHNSON PLAZA  
NEW BRUNSWICK, NJ 08933-7003

*Due 11/03/05  
1/13/06*

CONFIRMATION NO. 1947

371 FORMALITIES LETTER



\*OC000000017377358\*

Date Mailed: 11/03/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/13/2005
- Copy of the International Search Report filed on 06/13/2005
- Preliminary Amendments filed on 06/13/2005
- Information Disclosure Statements filed on 06/13/2005
- Oath or Declaration filed on 06/13/2005
- U.S. Basic National Fees filed on 06/13/2005
- Priority Documents filed on 06/13/2005
- Power of Attorney filed on 06/13/2005

RECEIVED  
NOV 07 2005  
J&J PAT. DKT. SECTION

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/538,946	PCT/EP03/14474	CCS5002USPCT